



493281

DEC 4 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SE-5J/OPRS-SPCC
W80901

Mr. Scott DeGroate
President
DeGroate Petroleum Service, Inc.
441 DeGroate Road
New Lenox, IL 60451

Dear Mr. DeGroate:

Based on our inspection of your facility and subsequent information that you have provided to us, it appears at this time that your facility has satisfied the minimum requirements of the Code of Federal Regulations (CFR), Title 40, Part 112. Follow-up inspections may be conducted at any time to ensure continued compliance.

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA further amended the regulation to extend the date for compliance with the requirements of Part 112.3 of the regulation to allow facility owners sufficient time to undertake the actions necessary to prepare and update their plans. The compliance date for both Plan amendment and implementation has been extended to July 1, 2009. Facilities that start operations between August 16, 2002 and July 1, 2009, must prepare and implement an SPCC Plan by July 1, 2009.

We would like to remind you that the facility's plan should be reviewed every 5 years. Any material changes made in the facility's design, construction, operation or maintenance which affect the facility's ability to store or discharge oil into navigable waters of the United States, should be amended in the SPCC plan within six (6) months of completion and certified by a registered Professional Engineer (PE).

Pursuant to Section 311(b) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, 33 U.S.C., Sections 1321(b), violations of the SPCC regulations, contained at 40 C.F.R. Part 112, subject owners and operators of a facility to administrative

SY
11/25/08

BAE
12/2/08

BAC
12/3/08

RW
12/3/08

yellow

-2-

civil penalties of \$11,000 per day (up to a maximum of \$157,500) or judicial civil penalties of up to \$32,500 per day. The actual penalty assessed will depend upon several factors including ability to pay.

If you have any questions, feel free to contact Dr. Shitien Yang, SPCC Inspector Grantee, at 312-886-0850.

Sincerely,

Linda M. Nachowicz, Chief
Emergency Response Branch #2

Enclosure (Returning your SPCC Plan)

cc: Illinois Environmental Protection Agency

mdadamo/6-5905/zip disk/11-24-08/degroateminreq11-24-08

LOAD ATTACHMENT SUMMARY

Case

DeGroot

W8090/
owner state

Attachment A.....

C-II.....

Example 1 (spill predictions).....

Information Packet (all items).....

SBERFA Info Sheet Only.....

SPCC Plan.....

Other.....